

App. No. 09/895,471  
Amendment Dated: April 25, 2005  
Reply to Office Action of April 5, 2005

## **REMARKS/ARGUMENTS**

### **I. Notice of Allowable Subject Matter**

In the Office Action dated April 5, 2005, the Examiner stated that "claims 18-19 and 21-24 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, 2nd paragraph, and to include all of the limitations of the base claim and any intervening claims."

Applicants greatly appreciate the Examiner's Notice of Allowable Subject Matter. As set forth above, new claims 33-35 have been added. New claim 33 contains all the elements of original claims 15 and 18. New claim 34 contains all the elements of original claims 20 and 21. New claim 35 contains all the elements of original claims 20 and 24. Claims 19, 22 and 23 have been amended to depend from independent claims 33 and 34, respectively. Original claims 1-18, 20-21 and 24-32 have been canceled. Accordingly, applicants believe that the application is in condition for allowance.

### **II. Relevant Issues Regarding 35 U.S.C. §112, 2nd paragraph**

Claims 9-26 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Relevant indefinite issues have been remedied in new claims 33-35. Applicant notes that, in claim 20, "the mobile device" and "the payload" does have clear antecedent basis. Specifically, "A mobile device" is recited in the preamble and "a payload" is recited in line 3 of claim 20.

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### **III. Forthcoming Continuation Application**

Claims 9-26 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claims 1, 2, 9-10, 15, 20, 25-27, and 30 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,725,370 issued to Sakakura (hereinafter "Sakakura"). Claims 6-8, 28-29, and 31-32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakura in view of U.S. Patent Number 6,003,075 issued to Arendt et al. (hereinafter "Arendt"). Claims 11-14 and 16-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakura in view of U.S. Publication Number 2002/0080091 published to Acharya et al. (hereinafter "Acharya").


Applicants respectfully disagree with the rejections. However, in order to expedite allowance of the claims in this matter, claims 1-18, 20-21 and 24-32 have been canceled. The subject matter of claims 1-18, 20-21 and 24-32 will be pursued in a continuation. This amendment should not be considered a concession of any subject matter of the aforementioned claims but will be more fully addressed in the forthcoming continuation.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

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Respectfully submitted,

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